

## **Frequently Asked Questions**

### **1) What Is a Forensic Medical Examination?**

The term "forensic medical exam" means an examination provided to a sexual assault victim by medical personnel trained to gather evidence of a sexual assault in a manner suitable for use in a court of law.

### **2) Who Is Eligible for Reimbursement?**

Reimbursements are made directly to physicians, hospitals, and laboratories on behalf of victims of rape, sexual assault, and child sexual abuse for medical treatment and evidence collection.

### **3) What Are the Requirements for Reimbursement?**

The following requirements must be met in order for reimbursement to be provided:

- A police complaint number (or similar case identifier) must be documented;
- All necessary documentation must be submitted, including
  - Signed Form #2923, Medical Examination and Report of Alleged Sexual Assault OR Form #4456, Confidential Report of Alleged Child Sexual Assault;
  - Physician or Forensic Nurse Examiner signed, written narrative;
  - Cover sheet with vendor name, address, federal tax identification number, patient's name, date of service, and amount due;
  - Itemized bill; and
  - Documentation of laboratory/diagnostic tests and medications ordered;
- Claim must be submitted within 90 days from the date of service.

### **4) What is the Level of Reimbursement?**

#### **• Physicians**

The Department of Health and Mental Hygiene shall pay a physician the physician's usual and customary fee not to exceed \$80 for the examination and collection of evidence for victims of alleged rape or sexual offense.

The Department of Health and Mental Hygiene shall pay a physician the physician's usual and customary fee or the customary fee of those individuals under the physician's supervision, qualified to participate in the gathering of information and evidence through an initial assessment as defined under Regulation .02B of this

chapter, not to exceed \$80 per hour for up to 5 hours for victims of alleged child sexual abuse.

- **Hospitals**

The Department shall pay the established rate as determined by the Health Services Cost Review Commission for the use of the emergency room or outpatient clinic and the daily in-hospital rate.

- **Laboratories**

The Department shall pay the established rate as determined by the Health Services Cost Review Commission for laboratory tests necessary to establish and gather information and evidence of the crime, and for screening of the victim for pregnancy and sexually transmitted infections.

**5) What services are covered?**

- Emergency room treatment, in-hospital treatment, and follow-up medical testing obtained within 90 days of the initial examination for injuries sustained as a result of the alleged rape or sexual assault;
- Screening for pregnancy and sexually transmitted infections;
- Diagnostic tests directly associated with the assault;
- Laboratory tests necessary to establish and gather information and evidence of the crime;
- Toxicology screening;
- Post coital medications;
- Prophylactic medications for sexually transmitted infections and tetanus;
- Pain and anti-emetic medications;
- Any medication directly related to the assault.

**6) The patient does not wish to file a police report. Is the forensic medical examination covered?**

When a patient does not file a police report, the initial examination is considered a medical examination. Only when a police report is filed is a forensic medical examination completed. Only forensic medical examinations are reimbursed under COMAR 10.12.02

**7) Is HIV testing and treatment a covered service?**

The Department follows the National Protocol for Sexual Assault Medical Forensic Examinations (**link to - <http://www.ncjrs.gov/pdffiles1/ovw/206554.pdf>**) in referring the victim to the appropriate anonymous or confidential and free HIV counseling and testing sites. Individual consideration is given in cases where the perpetrator is a known HIV carrier.

**8) When completing documentation for a child victim, which form do I use?**

For either hospital or physician services, either Form #2923 or Form #4456 may be used for a child under the age of 18. However, when requesting reimbursement for physician services, the Form #4456 must be completed in full.

**9) If the patient was assaulted in another state but presents to a facility in the state of Maryland, are the services covered?**

While there is nothing in the statute that would prohibit reimbursement for hospital services, please contact the Sexual Assault Reimbursement Unit for information on reimbursement procedures in such cases.

**10) The patient's signature was not obtained on the Form #2923. May the facility still be reimbursed?**

COMAR 10.12.02 require the signature of the patient or patient representative on the Form #2923 for consideration of reimbursement.

**11) The victim was injured during the assault. Is related care covered?**

Any injury directly associated with the assault may be considered for reimbursement. For example, if the patient sustained a fracture as a result of the assault, the Department would provide reimbursement for the radiology services. However, the Department does not cover testing or treatment for preexisting conditions.

**12) The patient complains of mental health issues related to the assault. Are mental health services a covered expense?**

While the Department is aware of the mental health issues raised by a sexual assault, under COMAR 10.12.02 only medical and forensic services are considered for reimbursement.